

**State of Connecticut
Commission on Human Rights and Opportunities**



Regular Commission Meeting Minutes

Wednesday, September 9, 2020

2:00 pm

Via Microsoft TEAMS

Commissioners Present

Cherron Payne, Chair
Nicholas Kapoor
Andrew Norton
Joseph Suggs
Neeta Vatti

Commissioners Absent

Lisa Giliberto
Edith Pestana
Edward Mambruno

Staff Present

Tanya Hughes, Executive Director
Cheryl Sharp, Deputy Director

Brian Festa, HRO Attorney	Neva E. Vigezzi, AA Supervisor
George Welch, HRO Attorney	Michael Roberts, HRO Attorney
Anna Puryear, HRO Attorney	Michelle Dumas Keuler, HRO Attorney
Lynda Rizzo Stowe, Regional Manager	Ronald Simpson, Regional Manager
Shawn Burns, Regional Manager	Kristen Daniels, Executive Secretary
Monica H. Richardson, Executive Secretary	Emily Melendez, Asst. Attorney General

I. **Chairperson:** Cherron Payne, Presiding

The meeting convened at 2:04 p.m.

II. **Secretary:** Commissioner Edward Mambruno.

Review of minutes deferred initially due to absence of Secretary Mambruno. Later in the meeting, Commissioner Suggs acting as Secretary in Commissioner Mambruno's absence asked for a motion to approve the minutes from the Aug 12 Regular Commission meeting. A motion was made by Commissioner Kapoor to approve the **minutes** with corrections of the August 12, 2020. Commissioner Norton seconded it. The corrections were to edit the votes of the reopenings of Kionna Owens and Miriam Parker. The vote: Yes (4), No (0), and Abstentions (0). The motion carried.

III. **Affirmative Action Recommendations – Vote Required**

Deputy Director Cheryl Sharp presented the following plans

Staff Recommendations: **Approval**

1. Office of the Attorney General

Representing the agency was Susan Cavanaugh, Director of Human Resources

The plan was recommended for **Approval**:

The agency did not meet all or substantially meet all of its hiring goals at 40%. The promotion goals were met at 100% and the program goals were not established in the prior filing.

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 174.7% achievement for the SBE and 195.4% achievement for the MBE.

The filing history is as follows: 2015, Conditionally Approved 2016, 2017, 2018 and 2019 Approved.

A motion was made by Commissioner Kapoor and seconded by Commissioner Norton to accept the staff recommendation to **approve** the plan of **Office of the Attorney General** and retain **annual** filing status. The vote: Yes (4), No (0) and Abstentions (0). The motion carried.

2. Department of Economic and Community Development

Representing the agency were Commissioner David Lehman, Jennifer Taplin, EEO Manager, DAS, Susan Shellard and Lorraine Vittner

The plan was recommended for **Approval**:

The agency has met all or substantially met all of its hiring goals at 40%. The promotion goals were met at 50% and the program goals were met at 100% (2 out of 2).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 115.4% goal achievement for the SBE and 437.4% for the MBE.

The filing history is as follows: 2012, Approved, 2014, Conditionally Approved, 2015, Disapproved, 2016 and 2018, Approved.

A motion was made by Commissioner Kapoor and seconded by Commissioner Suggs to accept the staff recommendation to **approve** the plan of the **Department of Economic and Community Development** and retain **biennial** filing status. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

3. Gateway Community College

Representing the agency were Dr. William T. Brown, CEO of Gateway Community College Dr. Thomas Coley, Regional President of the Shoreline-West Region, Nicholas D'Agostino, Tanya Gibbs, and Leah Glende.

The plan was recommended for **Approval**:

The agency met all or substantially met all of its hiring goals at 46%. The promotion goals were met at 83% and the program goals were met at 100% (2 out of 2).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 25% goal achievement for the SBE and 232% for the MBE.

The filing history is as follows: 2015, 2016, 2017, 2018 and 2019, Approved.

A motion was made by Commissioner Kapoor and seconded by Commissioner Vatti to accept the staff recommendation to **approve** the plan of the **Gateway Community College** and retain **annual** filing status. Filing will be consolidated into a January 20, 2021 filing. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

4. Tunxis Community College

Representing the agency were Dr. Darryl Reome, CEO, Dr. James Lombella, Regional President, Chuck Cleary, Wendy Bovia, and Marcia Bonitto.

The plan was recommended for **Approval**:

The agency has met all or substantially met all of its hiring goals at 44%. The promotion goals were met at 50% and the program goals were met at 100% (1 out of 1).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 278% goal achievement for the SBE and 185% for the MBE.

The filing history is as follows: 2011, Disapproved, 2012, 2014, 2016 and 2018, Approved.

A motion was made by Commissioner Vatti and seconded by Commissioner Kapoor to accept the staff recommendation to **approve** the plan of the **Tunxis Community College** and will be consolidated into a May 2021 filing status. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

Staff Recommendations: **Disapproval**

5. CT Military Department

Representing the agency were Major General, Francis J. Evon, Lynn Thibault, Elizabeth Cordon, Erich Heinoner, Timothy Tomacho, and Gerald McDonald.

The plan was recommended for Disapproval:

The agency has met its hiring goals at 40%. The promotion goals were met at 50% and the program goal achievement was not reported.

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 2549.00% goal achievement for the SBE and 2161.00% for the MBE.

The filing history is as follows: 2011, 2013, 2015, 2017, Approved and 2019, Disapproved.

A motion was made by Commissioner Norton and seconded by Commissioner Vatti to conditionally approve the plan of the Connecticut Military Department and have annual filing status. The vote was: Yes (2), No (2) and Abstentions (0). The vote was a tie.

Another motion was made by Commissioner Kapoor and seconded by Commissioner Suggs to disapprove the plan of the **Connecticut Military Department** and move to annual filing status. The vote was: Yes (2), No (2) and Abstentions (0). The vote was a tie. Chair Payne broke the tie. The motion carried.

6. Department of Mental Health and Addiction Services

Representing the agency were Commissioner Delphin-Rittmon, Tommy Wilson, Ellen Boynton, Jennifer Green, Yvonne T. Addo, and Deborah Moore

The plan was recommended for Disapproval:

The agency has met its hiring goals at 37%. The promotion goals were met at 44% and the program goal were met 100% (3 out of 3).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 242% goal achievement for the SBE and 516% for the MBE.

The filing history is as follows: 2015, Conditionally Approved, 2016, 2017, and 2018 Approved and 2019, Disapproved.

A motion was made by Commissioner Kapoor and seconded by Commissioner Suggs to disapprove the plan of the **Department of Mental Health and Addiction Services**, retain annual filing status and issue a certificate of non-compliance. The vote was: Yes (2), No (2) and Abstentions (0). Commissioner Andrew Norton indicated they were unable vote as presented. After significant discussion, Chair Payne asked that Commissioner Kapoor withdraw the motion to bifurcate into two separate motions. The motion was withdrawn by Commissioner Kapoor.

A new motion was made by Commissioner Kapoor and seconded by Commissioner Suggs to disapprove the plan of the **Department of Mental Health and Addiction Services** and retain annual filing status. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

Commissioner Norton moved for a certificate of non-compliance for the **Department of Mental Health and Addiction Services**. It was seconded by Commissioner Vatti. The vote was: Yes (2), No (2) and Abstentions (0). Chair Payne voted Yes to break the tie with the final vote tally Yes (3), No (2) and Abstentions (0). The motion carried. DMHAS will return in October with the plan.

IV. Request for Reopen

1. Kionna Owens v. City of Hartford

CHRO No. 2010195

Presented by Brian Festa, Commission Counsel

Kionna Owens and Attorney Parker-Bair were present for the Complainant.

A motion was made by Commissioner Norton and seconded by Commissioner Vatti to accept the staff recommendation to **grant** the request to reopen CHRO No 2010195. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

2. Miriam Parker v. WWE & SDE Corp

CHRO No. 1920101, 1920106

Presented by Brian Festa, Commission Counsel

Attorney Mary Gambardella for the Respondent was present.

A motion was made by Commissioner Kapoor and seconded by Commissioner Norton to accept the staff recommendation to **deny** the request to reopen CHRO No. 1920101 and 1920106 The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

V. Division Reports –The written reports were submitted for filing. No oral reports were given due to the hour.

Executive Director's Report: by Tanya Hughes, Executive Director

The Executive Director report consisted of a collection of annually mandated reports that were submitted to the Governor and other state entities by the CHRO. Submitted the Governor's Annual report on September 1 as required. The ED production report was also included.

Outreach Report: by Cheryl Sharp, Deputy Director
See detailed report

Legislative update: by Michelle Dumas Keuler, Commission Counsel

No word on a September special session. The CHRO's legislative committee will meet in September to talk about topics for the upcoming session.

VI. Executive Session

(Requires a two-thirds vote of commissioners present and voting – staff and guests invited to attend must be noted)

Invited into Executive Session with the Commissioners were the Executive Director, the Deputy Director, AAG Melendez, Attorney George Welch, Attorney Anna Puryear and Attorney Michael Roberts, Commission Counsel.

Commissioner Kapoor moved to go into Executive session at 4:11 pm. Commissioner Vatti seconded it. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

Pending Litigation:

1. CHRO ex rel. Lori Jaggon v. Three Deer Associates Limited Partnership (vote required)

CHRO Case No. 2050006
Presented by Attorney George Welch

2. CHRO ex rel. Cecilia O. Fichtner v. John F. Gauger, Jr. (vote required)
CHRO Case No. 2050140
Presented by Attorney Anna Puryear

3. Soule v. Connecticut Association of Schools, Inc. et al.
Presented by Attorney Michael Roberts

Return from Executive Session

Commissioner Vatti moved to return from Executive session at 4:28 pm and Commissioner Suggs seconded it. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

VII. VOTE ON EXECUTIVE SESSION ITEMS: (Action May Be Required)

CHRO ex rel. Lori Jaggon v. Three Deer Associates Limited Partnership
CHRO Case No. 2050006

A motion was made by Commissioner Norton and seconded by Commissioner Vatti the Commissioners vote to have the commission legal counsel file this case in housing session in Hartford and seek injunctive relief, punitive damages, and a civil penalty. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

CHRO ex rel. Cecilia O. Fichtner v. John F. Gauger, Jr.
CHRO Case No. 2050140

A motion was made by Commissioner Kapoor and seconded by Commissioner Suggs to have the commission legal counsel file this case in the Judicial District of Litchfield at Torrington and seek injunctive relief, punitive damages, and a civil penalty. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried.

VIII. Adjournment

A motion was made by Commissioner Kapoor to adjourn the meeting; Commissioner Norton seconded it. The vote was Yes (4), No (0), and Abstentions (0).
The motion carried.

The meeting adjourned at 4:35 p.m.